

AN ORDINANCE GRANTING
TO THE MILL VALLEY
AND MT. TAMALPAIS
SCENIC RAILWAY, A COR-
PORATION, A FRANCHISE
TO ERECT TELEGRAPH
AND TELEPHONE POLES
AND WIRES AND TO
TRANSMIT THEREBY TEL-
EGRAPH AND TELEPHONE
MESSAGES AND ELECTRIC
LIGHT AND POWER
ALONG SOME OF THE PUB-
LIC STREETS OR HIGH-
WAYS OF THE TOWN OF
MILL VALLEY.

Whereas, at a regular meeting of

the Board of Trustees of the Town of Mill Valley, held on the 27th day of December, 1904, the Board of Trustees of the Town of Mill Valley, after proceedings duly had and taken as required by law, did strike off, sell and award to the Mill Valley and Mt. Tamalpais Scenic Railway, a corporation, the successful bidder therefor, a franchise for forty-two (42) years to erect telegraph and telephone wires and to erect poles and wires for the purpose of transmitting electric heat and power and to maintain such poles and wires and thereby to transmit telegraph and telephone messages, light or electric power over and along such roads and highways as may be public along the route hereinafter particularly described and set forth.

And Whereas, the Mill Valley and Mt. Tamalpais Scenic Railway, a corporation, did thereafter and on the 31st day of December, 1904, file with the Board of Trustees of the Town of Mill Valley, a good and sufficient bond running to said Town of Mill Valley, with two good and sufficient sureties in the penal sum of Five Hundred (\$500.00) Dollars, conditioned as provided for by law, and the resolution heretofore adopted by said Board of Trustees, which said bond has been approved by the Board of Trustees of said Town of Mill Valley.

Now Therefore, the Board of Trustees of the Town of Mill Valley do ordain as follows, to-wit:

SECTION 1. That a franchise and privilege be, and the same hereby is granted to the Mill Valley and Mt. Tamalpais Scenic Railway, a corporation, its successors in interest and assigns, for the term of forty-two (42) years, to erect telegraph and telephone wires and to erect poles and wires for the purpose of transmitting electric heat and power and to maintain such poles and wires and thereby to transmit telegraph or telephone messages, light or electric power over and along such roads and highways in the Town of Mill Valley, County of Marin and State of California, as may be public, along the following route:

Commencing at a point on the present line of the Mill Valley and Mt. Tamalpais Scenic Railway in Corte Madera Avenue, opposite Lyon Place, and between lots 216 and 217, as delineated on Map No. 5 of the Tamalpais Land and Water Company, filed in the office of the County Recorder of Marin County, State of California, and running thence along Lyon Place to an alley running along the southwesterly boundary of lot 217 and abutting on lot 222; thence along said alley to a point in Magee Avenue; thence in a northwesterly direction and following the meandering line of Magee Avenue to a point opposite an alley running along the northwesterly boundary of lot 325 and abutting on lot 324; thence along said alley to a point in Marguerite Avenue; thence in a northwesterly direction and along Marguerite Avenue to a point opposite an alley running along the northerly boundary of lot 330 and abutting on lot 331; thence along said alley and crossing Ralston Avenue to an alley between lots 351 and 352; and thence along said alley to a point on Summit Avenue, there connecting with the present telegraph and telephone line now owned and operated by the Mill Valley and Mt. Tamalpais Scenic Railway.

SECTION 2. This franchise is granted to the said Mill Valley and Mt. Tamalpais Scenic Railway, a corporation, subject to and conditioned upon the payment by the said Mill Valley and Mt. Tamalpais Scenic Railway, a corporation, its successors in interest and assigns, to the said Town of Mill Valley and its successors during the life of said franchise, of an amount equal to two (2) per cent of the gross annual receipts of the said Mill Valley and Mt. Tamalpais Scenic Railway, a corporation, its successors in interest and assigns, arising from the use, operation or possession of the franchise and privilege herein granted, provided that no such percentage shall be paid for the first five (5) years succeeding the date of this franchise, and that thereafter said percentage shall be paid annually, and in the event that said payment is not made, said franchise shall be forfeited.

SECTION 3. This ordinance shall take effect and be in force from and after the date of its passage and adoption.

Passed and adopted as an ordinance of the Town of Mill Valley at a regular meeting of the Board of Trustees of said Town of Mill Valley, held on Tuesday, the 31st day of January, 1905, by the following vote:

Ayes and in favor of the adoption of said ordinance—Trustees: Bunker, Craelius, Cappellmann and Coffin.

Noes—Trustees: None.

Absent—Trustee: Turpin.

ALONZO COFFIN,

President pro tem of the Board of Trustees of the Town of Mill Valley.

Attest: S. H. ROBERTS,
Clerk of the Town of Mill Valley.

I hereby approve of the foregoing ordinance this 31st day of January, 1905.

ALONZO COFFIN,

President pro tem of the Board of Trustees of the Town of Mill Valley.